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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/973,356	10/09/2001	Carolyn Christine Ramsey-Catan	US 010513	5269
24737	7590	02/03/2006	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510			HAQ, NAEEM U	
			ART UNIT	PAPER NUMBER
			3625	

DATE MAILED: 02/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/973,356

Applicant(s)

RAMSEY-CATAN, CAROLYN
CHRISTINE

Examiner

Naeem Haq

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 5-7 and 12-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 8-10 is/are rejected.
- 7) ☒ Claim(s) 4 and 11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION***Allowable Subject Matter***

Claims 4 and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The prior art does not teach determining whether another user will permit a portion of the remote transaction amount to be allocated against a remaining balance for the current period for the other user.

Final Rejection***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3 and 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Headings et al. (US 2002/0143647 A1) hereinafter referred to as Headings.

Referring to claims 1 and 8, Headings teaches a system for monitoring and controlling remote purchases comprising: a home access device selectively coupled to at least one communication system (Figure 1, items "16" and "17"; paragraph [0014]); a remote purchase controller controlling remote purchases over the at least one

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communications network involving the home access device (Figure 1, items "12" and "14"; paragraph [0014]), the remote purchase controller: responsive to detecting an attempt to execute a remote purchase transaction, determining whether the remote purchase transaction should be completed based upon a remote purchase limit (paragraphs [0019], [0022], and [0023]). Headings does not explicitly teach holding the transaction for processing after determining that the transaction should not be completed. However, Headings teaches that the HoH can establish permissions such as spending limits for sub-accounts (paragraphs [0004], [0019], [0022]). Furthermore, Headings teaches suspending a transaction if a debit cannot be posted to a second account (claim 6). Therefore it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to suspend a transaction for subsequent processing in the event a permission was violated in the invention of Headings. One of ordinary skill in the art would have been motivated to do so in order to enforce the permissions set by the HoH.

Referring to claims 2 and 9, Headings teaches determines whether the remote purchase transaction involves an amount exceeding a remaining available balance of the remote purchase limit for a current period ([0019], [0022], and [0023]).

Referring to claims 3 and 10, Headings teaches identifying which of a plurality of authorized users associated with an account to be employed in the remote purchase transaction is attempting to execute the remote purchase transaction and ascertains the remaining available balance of the remote purchase limit for the identified user for the current period (paragraphs [0013], [0019], [0022], and [0023]). Headings teaches

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supporting multiple users with permissions such as monthly spending limits and accessing a users account during a transaction to determine if a permission will be violated by the transaction.

Response to Arguments

Applicant's arguments filed November 14, 2005 and July 6, 2005 have been fully considered but they are not persuasive. The Applicant has argued that Headings does not teach holding a transaction for processing after determining that the transaction should not be completed based on a purchase limit. In addressing this limitation, the Examiner established a *prima facie* case of obviousness by showing that Headings provides sufficient teachings to render this limitation obvious to one of ordinary skill in the art. In particular, Headings teaches that the HoH can establish permissions such as spending limits for sub-accounts (paragraphs [0004], [0019], [0022]). Furthermore, Headings teaches suspending a transaction if a debit cannot be posted to a second account (claim 6). Thus the Examiner has established a *prima facie* case of obviousness, and the Examiner maintains the art rejection.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naeem Haq whose telephone number is (571)-272-6758. The examiner can normally be reached on M-F 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn W. Coggins can be reached on (571)-272-7159. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Naeem Haq, Patent Examiner


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January 29, 2006


WILLIAM W. COGGINS
SUPERVISORY PATENT EXAMINER
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